

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

NEW JERSEY THOROUGHbred
HORSEMEN'S ASSOCIATION, INC.;
ELR CORPORATION; DECKERT
ENTERPRISES LLP #2; and
TIMOTHY HILLS,

Plaintiffs,

v.

THE ALPEN HOUSE U.L.C.,

Defendant.

HONORABLE JOSEPH E. IRENAS
CIVIL ACTION NO. 08-613 (JEI/AMD)

**ORDER GRANTING IN PART AND DENYING
IN PART DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT
(Docket # 77)**

APPEARANCES:

LOMURRO, DAVISON, EASTMAN & MUNOZ, P.A.

By: Gary McLean, Esq.

Peter Koenig, Esq.

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Counsel for Plaintiffs

STERNS & WEINROTH, P.C.

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Counsel for Defendant

IRENAS, Senior District Judge:

This matter having appeared before the Court upon Defendant The Alpen House's Motion for Summary Judgment (Docket #77), the Court having considered the submissions of the parties, for the reasons set forth in an Opinion issued on even date herewith, which findings of fact and conclusions of law are incorporated herein, and for good cause appearing;

IT IS on this 2nd day of May, 2013,

ORDERED THAT:

Defendant's Motion to for Summary Judgment (Docket #77), is hereby **GRANTED** as to Plaintiffs' strict liability claim premised upon the Trainer Responsibility Rule; and **DENIED** in all other respects.

s/ Joseph E. Irenas
JOSEPH E. IRENAS
Senior United States District Judge